

CC Docket No. 02-6  
REQUEST FOR WAIVER

To: FCC

Re: Funding Year 2007 Form 471 Postmark Outside of Window

Billed Entity Name: Rhea Academy

Billed Entity Number: 211172

471 Application Number: 638286

Decision: Taken from USAC letter dated March 14, 2008: Your Form 471 application was postmarked on 03/03/2008, which was AFTER the 2007-2008 filing window closed at 11:59 p.m. EST on Thursday, February 9, 2007.

Request: To waive 471 Filing Deadline due to special circumstances

Rationale: Rhea Academy's 471 has multiple filing dates. The USAC letter dated

The consequence of filing late is a loss of E-Rate funding for Fiscal Year 2007-2008 which will place a substantial financial burden on the district. In May of 2006, the FCC issued the Bishop Ferry Decision, SLD 487170. In that decision the FCC stated that good cause existed to waive the 471 filing.

Paraphrasing an except from Section III, paragraph 14 of the decision, the Commission noted that the primary individuals completing the forms are not individuals dedicated to pursuing federal grants, especially in a small district. Instances of unexpected illness or family emergency can result in the only available official who knows the process being unavailable to complete the application on time. The Commission further stated that a denial of the application would place an undue burden on the district and would not serve the public interest.

Rhea Academy is a small school district with a technology plan approved through June 2009. The administrator responsible for the E-Rate forms has been dealing with advanced breast cancer. The 471 in question has multiple filing dates. USCA, as indicated below, acknowledge one filing in January, 2008. The denial letter was dated, however on March 3, 2008. There has been multi-communication which indicate a good faith effort by both parties. Therefore, we respectfully request waiver of the filing deadline.

Thanking you in advance,

Rhonda Rhea Byrd

113 East Third Street

Dayton, Ohio 45402

(937) 461-7432

[rheaacademy@aol.com](mailto:rheaacademy@aol.com)

From: SLD Problem Resolution <SLD-Problem-Resolution@prod.vangent.com>  
To: rheaacademy@aol.com  
Sent: Tue, 29 Jan 2008 1:35 pm  
Subject: E-Rate Problem Resolution; Form 471; Case # 21-666291 Client

Date: January 29, 2008

Contact Name: Rhonda Byrd  
Applicant Name: RHEA ACADEMY COMMUNITY SCHOOL  
Contact Phone Number: (937) 461-7432  
Form Type: 471  
Application Number(s): N/A  
Applicant Form Identifier: 471RHEA07

**Response Due Date: February 6, 2008**

We recently sent a written request for additional information needed to successfully data enter your form. This is a reminder that the response due date is approaching. To date none of the requested information has been received. We need the following information from you so that we may complete data entry:

**Verification to the Funding Year you have listed is needed. We are currently accepting applications for FY 2008-2009. The application that you have submitted is referencing FY 2007-2008. Is it your intent to file for the FY 07/08?, or were you intending it for the new funding year 08/09?**

Please make these corrections to your form and fax to my attention at 888-276-8736 or email the corrections to my attention at sld-problem-resolution@prod.vangent.com. Please reference the application number or form identifier and include your full name and title in all correspondences. If you have any questions, please call me at 888-203-8100 and reference **Case Number 21-666291**.

We need to receive this information from you by **02/06/2008**. Failure to do so may result in rejection of your form or removal of an incomplete line. If you need additional time to prepare your response, please let me know as soon as possible.

If you need to cancel your form or any individual lines, please clearly indicate in your response that it is your intention to cancel the form or line. Include in any cancellation request the form number and/or Form Identifier, the Funding Request Number(s), and the complete name, title and signature of the authorized individual.

NOTE: A copy of this correspondence is being forwarded to your State E-Rate Coordinator for informational purposes only. The State E-Rate Coordinator is under no obligation to get the information nor are they required to respond within the 15 days.

Thank you for your cooperation and continued support of the Universal Service Program.

Sherry Welford  
Client Service Bureau / Problem Resolution  
Schools and Libraries Division  
Help Line: 888-203-8100  
Fax: 888-276-8736  
E-Mail: [sld-problem-resolution@prod.vangent.com](mailto:sld-problem-resolution@prod.vangent.com)